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Attorneys for Defendant  
MOTOROLA MOBILITY LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ADAPTIX, INC.,	)	<b>Case No.: 3:13-cv-01774-MEJ</b>
	)	
Plaintiff,	)	<b>MOTOROLA MOBILITY LLC'S NOTICE</b>
	)	<b>OF PENDENCY OF OTHER ACTIONS</b>
vs.	)	
	)	Judge: Honorable Maria-Elena James
MOTOROLA MOBILITY LLC, et al.,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

Pursuant to Civil L.R. 3-13, defendant Motorola Mobility LLC (“Motorola Mobility”) submits this notice of pendency of other actions. The following three cases, currently pending in the Eastern District of Texas, concern the same two patents and several of the same parties as this action:

1. *Adaptix, Inc. v. Pantech Wireless, Inc., et al.*, Case No. 6:12-cv-020 (E.D. Tex.);
2. *Adaptix, Inc. v. AT&T Mobility LLC, et al.*, Case No. 6:12-cv-017 (E.D. Tex.);
3. *Adaptix, Inc. v. Cellco Partnership d/b/a Verizon Wireless, et al.*, Case No. 6:12-cv-120 (E.D. Tex.) (hereafter the “Texas Actions”).

#### **STATEMENT OF RELATIONSHIP TO ACTIONS IN THIS DISTRICT**

In early 2012, Adaptix filed eight patent infringement suits in the Eastern District of Texas. *See, e.g.*, Dkt. No. 62, *Adaptix, Inc. v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-00016 (E.D. Tex.). Adaptix filed a ninth suit in the E.D. Tex. in January 2013. Adaptix alleges that defendants in all nine actions infringe the same two patents: U.S. Patent Nos. 6,947,748 and 7,454,212.

The E.D. Tex. court consolidated the original eight cases on September 11, 2012 for pretrial purposes. Dkt. No. 62, *Adaptix, Inc. v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-00016 (E.D. Tex.). On March 28, 2013, that court severed the cases and granted defendants’ motion to transfer in five of the eight cases to the Northern District of California. Dkt. No. 1, *Adaptix, Inc. v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-01774 (N.D. Ca.). The E.D. Tex. court granted transfer in the most recently filed case on April 11, 2013. These six cases are now pending before this Court in case numbers:

1. *Adaptix v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-1774 (N.D. Cal.);
2. *Adaptix v. Apple Inc., et al.*, Case No. 3:13-cv-1776 (N.D. Cal.);
3. *Adaptix v. Apple Inc., et al.*, Case No. 3:13-cv-1777 (N.D. Cal.);
4. *Adaptix v. AT&T Mobility LLC, et al.*, Case No. 3:13-cv-1778 (N.D. Cal.);
5. *Adaptix v. HTC Corp., et al.*, Case No. 5:13-cv-1884 (N.D. Cal.); and
6. *Adaptix v. Apple Inc., et al.*, Case No. 3:13-cv-\_\_\_\_ (N.D. Cal.)<sup>1</sup> (hereafter the

<sup>1</sup> The E.D. Tex. effectuated interdistrict transfer on April 30, 2013. This Court has not yet docketed

1 “California Actions”)

2 The E.D. Tex. court denied defendants’ motions to transfer in the Texas Actions. *See, e.g.,*  
3 Case No. 6:12-cv-120, Dkt. No. 59 (E.D. Tex.).

4 The Texas Actions do, however, involve the same patents and several of the same parties as  
5 the California Actions. Adaptix alleges that defendants in each of the actions infringe the patents by  
6 making, using, offering for sale, selling and/or importing mobile communications devices advertised  
7 as operating on the 4G LTE wireless network. *See, e.g.,* Dkt. No. 2, *Adaptix, Inc. v. Motorola*  
8 *Mobility LLC, et al*, Case No. 3:13-cv-01774 (N.D. Ca.). One of two network carriers, AT&T  
9 Mobility or Verizon Wireless, is a named defendant in each of the California and Texas Actions.

10 At the present time, the E.D. Tex. court has vacated a previously entered case schedule in the  
11 Texas Actions and the parties recently submitted new proposed schedules. *See, e.g.,* Case No. 6:12-  
12 cv-120, Dkt. Nos. 63, 76 (E.D. Tex.). As the cases proceed, it may be prudent for the parties to  
13 coordinate certain discovery activities (e.g., document production) to conserve resources.

14 In light of the transfer orders entered by the E.D. Tex. court, Motorola Mobility does not  
15 believe transfer pursuant to 28 U.S.C. § 1407 (Multi District Litigation Procedures) is appropriate.

16  
17 Dated: May 3, 2013

Respectfully Submitted,

18 By: /s/ Tyler T. VanHoutan

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27  
28 the transferred case.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and forgoing document has been served on May 3, 2013 to all counsel of record who are deemed to have consented to electronic service per Civil L. R. 5.4.

/s/ Tyler T. VanHoutan

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